PTO/SB/21 (02-04)

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TRANSMITTAL		Filing Date	October 1, 2	004	CENTRAL FAX	CENTE
FORM		First Named Inventor	EH, Marcus			<del></del>
(to be used for all correspondence after initial	filing)	Art Unit	1621		MAR 2 6	ZV07
•		Examiner Name	ZUCKER, P	aul A.		
Total Number of Pages in This Submission	18	Attorney Docket Number	3968.123			フ
	ENC	LOSURES / (Check all that	apply)			
Fee Transmittal Form Fee Attached Amendment/Reply After Final Affidavits/declaration(8) Extension of Time Request Express Abandonment Request Information Disclosure Statement Certified Copy of Priority Document(s) Response to Missing Parts/ Incomplete Application Response to Missing Parts under 37 CFR 1.52 or 1.53	Rema	Drawing(s)  Licensing-related Papers  Petition Petition to Convert to a Provisional Application Power of Atterney, Revecation Change of Correspondence Addra Terminal Disclaimer  Request for Refund  CD, Number of CD(s)  rks  Under 37 C.F.R. Requesting Dur	At	to Technology Appeal Corof Appeal Corof Appeal Corof Appeal Not Appeal Not Appeal Status Lett Other Enclidentify beltschments A-B-	osure(s) (please low): -C	
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Firm Or Individual name Signature  Akerman Senterfitt/Steph. P.O. Box 3188 West Falm Beach F. 384  March 28, 2007	en A. Pen	DF APPLICANT, ATTORN dorf, Reg. No. 32,665	EI, UK A	O E I F I		
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i hereby certify that this correspondence is be sufficient postage as first class mail in an en the date shown below.	eina facsi	CATE OF TRANSMISSION mile transmitted to the USPTO or dressed to: Commissioner for Pat	deposited v	vith the United	States Postal Service with Indria, VA 22313-1450 on	
Typed or printed name Stephann. Pend	orf, Regn	No. 32,665				
Signature	Ab-1			Pate	March 26, 2007	フ

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 53 U.S.C. 122 and 97 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, prepering, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450.

ADDRESS, SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

if you need assistance in complating the form, call 1-800-PTO-9199 and select option 2.

#### RECEIVED CENTRAL FAX CENTER

#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

MAR 2 6 2007

Application No.

10/510,024

Confirmation No.

5616598313

4639

Applicant

EH, Marcus

Filed

October 1, 2004

Group Art Unit

1621

Examiner

ZUCKER, Paul A

Docket No.

3968.123

For

ALICYCLIC ESTERS HAVING A MUSKY SMELL

#### PETITION UNDER 37 C.F.R. § 1.182 REQUESTING DUPLICATE LETTERS PATENT AND WAIVER OF FEES

MAIL STOP PETITIONS Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

Applicants hereby petition the Commissioner for a <u>Duplicate Letters Patent</u> and a <u>waiver</u> of the petition fee. In support of this Petition, Applicants submit herewith:

Exhibit A - Change of Correspondence Address filed April 3, 2006;

Exhibit B - Change of Correspondence Address and Transmittal filed June 26, 2006; and

Exhibit C - A copy of the docketing sheet for Application Serial No. 10/510,024.

Applicants' attorney of record, Stephan A. Pendorf, never received the Issue Notification or the Letters Patent in the above-described application. As indicated in the image file wrapper, Applicants paid the issue fee and filed a change of address form on April 3, 2006 (see Exhibit A, printed from the PAIR database). The transaction history indicates that a correspondence address change was recorded on April 6, 2006 and again on April 12, 2006. The transaction history indicates that the issue notification was mailed May 31, 2006.

As evidence that the address change incorrectly entered, Applicants submit the second change of correspondence address filed on June 26, 2007 (Exhibit B) and the associated

IWP380907:11

Attorney Docket No.: 3968.123

U.S. Patent Application No. 10/510,024 Petition under 37 C.F.R. 1.182

transmittal letter. The transmittal letter states that "the Attorney/Agent Correspondence Information is not the address information associated with Applicant's customer number 30448." The second change of address was properly entered on July 3, 2006; however, the Issue Notification and Letters Patent were incorrectly mailed during the timeframe where the

A.J. Mims 14501 Elmhurst Circle Huntington Beach, CA 92647 (see Exhibit B)

Attorney/Agent Correspondence Information was as follows:

Mr. Pendorf has never practiced in California and has never had a California address associated with his customer number. As a result of the PTO's error, the Issue Notification and the Letter Patent were presumable sent to Mr. Mims, and were never received by Mr. Pendorf or Akerman Senterfitt, Mr. Pendorf's current employer. Accordingly, Applicants petition for a duplicate letters patent and waiver of the petition fee under 37 C.F.R. § 1.17(f).

Applicants' attorney of record, Stephan Pendorf attests that neither he nor the Akerman Senterfitt law firm, Mr. Pendorf's employer, ever received either the Issue Notification or the Letter Patent. Furthermore, Mr. Pendorf attests that a search of the file jacket and docket records indicate that neither of these Office communications were ever received.

A copy of the docket record where the non-received Recordation would appear had it been received is enclosed as Exhibit C. According to Akerman Senterfitt's docketing system, when an Issue Notification is received, two entries are added to the docket that read "Patent to Issue Today" and "Rec'd Letters Patent?" The Docketing Report shows that no such entry was made. Applicants submit this as additional evidence that the relevant correspondences from the USPTO were not received.

(WP380907;1)

Job-188

Attorney Docket No.: 3968.123

U.S. Patent Application No. 10/510,024 Petition under 37 C.F.R. 1.182

Accordingly, Applicants respectfully petition for a Duplicate Letters Patent. Applicants request a waiver of the petition fee due under 37 C.F.R. § 1.17 (f) because the error appears to have resulted when the USPTO mishandled the timely and correct Change of Correspondence Address form submitted April 4, 2006, by entering an Mr. Mims address rather than the address associated with Applicants customer number, 30448.

If the Petition for a waiver of the petition fee is not granted, the Commissioner is hereby authorized to charge the amount due to Deposit Account No. 50-0951. Although no fees are believed due, the Commissioner is hereby authorized to charge any deficiency or credit any overpayment to Deposit Account No. 50-0951.

Date: March 2

Registration No. 32,665 AKERMAN SENTERFITT

Esperante Building

222 Lakeview Avenue, Suite 400

West Palm Beach, Florida 33401-6183

(516) 653-5000

## APPLICATION SERIAL NO. 10/510,024

# PETITION FOR DUPLICATE LETTERS PATENT AND WAIVER OF FEES

### **EXHIBIT A:**

CHANGE OF CORRESPONDENCE ADDRESS FORM FILED APRIL 3, 2006

I am the:

Signature Typed or Printed

Name

Data April 3, 2008

**Applicant/Inventor** 

Stephan A. Pendori, Reg. No

A TOPOE 14:52 From-Akerman Sunterfitt	5010500313	T-177 P 004/004 F-271	
APR U S 2006	Appr U.S. Patent and Tradon na are regulated to respond to a consider of Informati	PTC/SB/122 (III-04) Pred for use drough 07/51 (2018, OMB USH-1-018) Pred Office: U.S. DEPARTMENT OF COMMERCE on unloss 3 displays a vigit OMB convolvamper.	RECEIVED CENTRAL FAX CENTER
Van Lie	Application Number	10/510,024	MAR 2 6 2007
CHANGE OF CORRESPONDENCE ADD	RESS Filling Date	Outober 1, 2004	
Application	First Named Inventor	Eh, Marcus	
	Art Linit	1671	
Address to: Commissioner for Palants	Examiner Name	Zucker, Paul A	]
P.O. Box 1450 Alexandria, VA 22313-1460	Attorney Docket Number	3968.123	<i>)</i>
Please change the Correspondence Addi	ress for the above-identified patent applic	ation to:	
The address associated with Customer Number:	30448		
OR			· <del>1</del>
Fam or Individual Name			
Address			
Cily	Stala	Zip	
Country			
Telephone	Fax		
This form cannot be used to change the data associated with an existing Custome	teta associated with a Customer Number or Number use "Request for Customer Nu	. To change the Indust Data Change? (PTO/38/124).	

This explanation of information is required by 37 CFR 1.33. The Information is required to extent or retain a benefit by the public which is to its fond by the USPTD to process) an application. Confidentiatry is governor by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to taxe 3 minutes to complete, to process an application. Confidentiatry is governor by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to taxe 3 minutes to complete the including parameter, preparing, explained such shall be sent to the Chief Information Officer. U.S. Prices and the amount of time you require to example to this form and/or subgestional for recording oils burden, should be sent to the Chief Information Officer. U.S. Prices and Transmitted Officer. U.S. Department of Commerce, P.O. Sox 1450, Alexandria, VA 22313-1450. On NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Registered practitional reamed in the application transmittal letter in an application without an executed cath or declarated. See 37 CFR 1.33(a)(1). Registration Number

Tolophone 561.553.5000

If you need assistance in completing the form, call 1-800-PTO-9199 and relact option 2.

PAGE 444 \* RCVD AT 4/3/2006 2:52:39 PM [Eastern Daylight Time] \* 6VR:USPTO-EFXRF-2/12 \* DNIS:2732885 \* CSID:5616596313 \* DURATION (mm-ss):02-00

Assignee of record of the entire interest. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/GB/98).

NOTE: Signatures of all the inventors or issuignoss of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one physicure is required, and pretow.

Attorney or agent of record. Registration Number 32,653

# APPLICATION SERIAL NO. 10/510,024

# PETITION FOR DUPLICATE LETTERS PATENT AND WAIVER OF FEES

## **EXHIBIT B:**

CHANGE OF CORRESPONDENCE ADDRESS FORM FILED JUNE 26, 2006 JUN-28-06 12:12

FROM-AKERMAN SENTERFITT

5816595939

T-291 P.01/05 F-505

PTO/SE/21 (02-04)

RECEIVED CENTRAL FAX CENTER MAR 2 6 2007

Under the Paperwork Reduction Act of 1895		STATE OF COMMERCE
	Application Number	10/610,024
TRANSMITTAL	Filing Date	Omoper 1, 2004 REGERIED
FORM	First Named Inventor	En, Meious CHATRAL FAN GENT
to be used for all completendance other mitel fo	Art Unit	१६२१
	E-BINING NBME	Zursar, Paula
Total Number of Pages in Tale Submission	5 Adomey Docket Number	3868.123
	ENCLOSURES (Check all	क्षित्र व्यक्तिर)
7	Drawing(e)	After Allowance communication va Technology Center (TC)
Fee Transmiss Form  Fee Attached  Amendment/Reply  After Final  After-insideclaration(s)  Extension of Tene Request  Express Abendominent Request  Information Disclosure Statement  Carified Copy of Priority  Decument(s)  Response to Missing Parts/ incomplete Application  Response to Missing Parts/ under 37 CFR 1,82 or 1,83	Licensing-related Papers  Perition  Perition to Convert to a Province of Atterney, Revealth Change of Correspondence A Tecrnical Disclarate  Request for Refund  CD, Number of CD(s)	Appeal Communication to Board of Appeals and Indeferences Appeal Communication to YC (Appeal Notice, Brist, Repty Greet) Proprietary Information
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irm ir ndhistical returns fignesture	TURE OF APPLICANT, ATTO	RNEY, OR AGENT
Firm Steptian A. Pendori or Individual mame Signature State Lune 26, 2006	TURE OF APPLICANT, ATTO	

If you need assistance in completing the form, call 1-800-PTO-8199 and salest option 2.

PAGE 115 \* RCVD AT 6/25/2806 12:14:53 PM [Eastern Daylight Time] \* SVR:USPTO-EFXRF-2/21 \* DAIS: 2738300 \* CSID:5818535333 \* DURATION (mm-ss):8148

JUN-28-88 12:12

FROM-AKERMAN SENTERFITT

BB18535333

T-231 P.02/05 F-505

#### MEGENTED CENTRAL PAX CENTER

5816596313

JUN 2 8 2006

PATENT

#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

EH, Marcus

Conf. No.: 4639

Application No.: 10/510,024

Examiner: ZUCKER, Paul A.

Filed: October 1, 2004

Art Unit: 1621

NOVEL ALICYCLIC ESTERS HAVING A MUSKY SMELL For:

Attorney Docket No.: 3968-123

Customer No.: 30448

#### CERTIFICATE OF TRANSMISSION/MAILING

I hereby certally that this convergence are in being discincile transmitted to the USFTO or deposited with the United States Femal Service with sufficient postage as first class that it at ире ацинация III Селитамія 23\3-14 (Opry June 26, 2006

Reg. No. 32,005

### CORRECTION OF CHANGE OF CORRESPONDENCE ADDRESS

Commissioner for Patents P. O. Box 1450 Alexandria, VA 22313-1450

Sir:

Applicant submitted a Change of Correspondence Address (Form PTOSB/122) (herein after "Form") on April 3, 2006. A copy of the Form with the "OIPE dated received stamp" is anached. However, in PAIR the Attorney/Agent Correspondence Information is not the address information associated with Applicant's customer number, 30448 (copy of print-out anached).

Applicant respectfully requests the attorney/agent address information be corrected to that associated with customer number 30448.

{WP315551;1}

PAGE 2/5\* RCVD AT 6/28/2006 12:14:53 PM (Eastern Daylight Tame) \* SVR:USPTO-EFXRF-2/21 \* DMS:2718/200 \* CSID:5818535333 \* DURATION (nun-ss):0148

From: AKERMAN, SENTERFITT & EIDSON MAR-26-07 15:32

5616596313

T-668 P.10/16 Job-188

JUN-28-06 12:13

FROM AKERIAN SENTERFITT

3018595333

T-291 P.03/05 F-605

U.S. Application No. 10/510,024 Correction of Change of Correspondence Address Attorney Docket No. 3968-123

The Commissioner is hereby authorized to charge any additional fees that may be required or credit any overpayment, to Deposit Account Number \$0-0951.

Respectfully submitted,

AKERMAN SENTERFITT

Date: June 26, 2006

Stephsp A. Pendor Registration No. 32,665 Customer No: 30448

222 Lakeview Avehue, Suite 400 West Palm Beach FL 33401 Telephone: 561.653.5000 Fax 561.659.6313

(WP315551;1)

Note the section of t

PAGE 445 \* RCVD AT 6/25/2006 12:14:53 PM [Eastern Daylight Time] \* SVR:USPTO-EFXRF-2121 \* DAIS:2/38300 \* C8ID:55/6535333 \* DURATION (nam-55/01-48

5616596313 T-668 P.12/16 Job-188

From: AKERMAN, SENTERFITT & EIDSON

JUN-28-08 12:13

FROM-AKERMAN SENTERFITT

5B18595333

T-291 P.05/05 F-505

Corre	spondence Address		
Name:		A J MIMS	
Address	5;	14501 ELMHURST CIRCLE HUNTINGTON BEACH CA 92647	
Attorr	ey/Agent Information		
Reg#	Name	Phone	
40577	Cutiff, Yate	727-323-0714	
45830	Defilio, Evelyn	727-772-5916	
48254	Martinez, John	914-271-7501	
32666	Pendorf, Stephen	581-671-3869	

Close.Window

# APPLICATION SERIAL NO. 10/510,024

# PETITION FOR DUPLICATE LETTERS PATENT AND WAIVER OF FEES

## **EXHIBIT C:**

DOCKETING SHEET FOR APPLICATION SERIAL NO. 10/510,024

### **Country Application**

Thursday, December 21, 2006

Page: l

Docket Number: 3968-123

Country: US

SubCase:

Client: EISENFLIHR, SPEISER & PARTNER

United States of America

Case Type: ORD

Billing Number: 00-00

Application Status: Granted

Application Number: 10/510024

Filing Date: 01-Oct-2004

**Publication Number:** 

**Publication Date:** 

Patent Number: 7064102

Issue Date: 20-Jun-2006

Parent/PCT Number: EP03/03294

Parent/PCT Date: 29-Mar-2003

Parent Issue Number:

Parent Issue Date:

Tax Schedule: LE

Expiration Date: 29-Mar-2023

Confirmation #:

Patent Term Adjustment: 0

Agent:

Agent Reference #:

Family Reference:

Remarks: GAU: 1621

Sm\_Ent: N

Assign: N

12/8/06: per SP, not responsible for mtce fees

#### List Of Actions

Action(s) Due	Due Date		Action Taken
UTILITY PATENT APPLICATION FIL	01-Oct-2004	Due Date	22-Oct-2004
Verify receipt of postcard	22-Oct-2004	Due Date	22-Oct-2004
Verify receipt of Official Fil	01-Dec-2004	Due Date	02-May-2005
Docket for foreign filing	01-Jan-2005	Due Date	07-Apr-2005
Docket for 1st Office Action	01-Apr-2005	Duc Date	28-Jul-2005
Verify receipt of 1st Office A	01-Apr-2005	Due Date	28-Jul-2005
P Office Action (3 Month)	25-Jul-2005	Due Date	28-Jul-2005
Report Office Action to client	01-Aug-2005	Due Date	28-Oct-2005
Response due to Office Action	25-Nov-2005	Due Date	23-Nov-2005
Verify receipt of post card fo	25-Nov-2005	Due Date	05-Dec-2005
Reminder to respond to Office	30-Nov-2005	Due Date	29-Nov-2005
Response received from client?	25-Dec-2005	Due Date	15-Feb-2006
Fee Due in 1 Month	03-Mar-2006	Reminder	03-Mar-2006

untry Application		Thurs	day, December 21, 2006	Page: 2
Issue Fee Duc 4/3	08-Mar-2006	Reminder	08-Mar-2006	
Issue Fee Due 4/3	15-Mar-2006	Reminder	15-Mar-2006	
Issue Fee Due 4/3	22-Mar-2006	Røminder	22-Мяг-2006	
Issue Fee Due 4/3	29-Mar-2006	Due Date	29-Mar-2006	
Issue Fee Due	03-Apr-2006	Final	03-Apr-2006	
Rply To Non-Record Due In 1 Wk	23-Apr-2006	Reminder	25-Арг-2006	
Reply To Non Recordation Due	30-Apr-2006	Due Date	01-May-2006	
Rec'd Recorded Assignment?	15-May-2006	Final	01-May-2006	
Ck Pair Re Corr Add Correction	10-Jul-2006	Due Date	10-Jµl-2006	
Ck Pair Re Corr Add Correction	12-Jul-2006	Due Date	12-Jul-2006	
Call Other Atty Re Issued Pat	31-Jul-2006	Due Date	31-Jul-2006	
Call Other Atty Re Issued Pat	31-Aug-2006	Due Date	31-Aug-2006	
Issue Status	03-Sep-2006	Due Date	12-Jul-2006	
Call Other Atty Re Issued Pat	07-Sep-2006	Due Date	07-Sep-2006	
Call Other Atty Re Issued Pat	14-Sep-2006	Due Date	14-Sep-2006	
Has Patent Been Proofread?	20-Sep-2006	Due Date	22-Sep-2006	
Call Other Atty Re Issued Pat	21-Sep-2006	Due Date	25-Sep-2006	
Call Other Atty Re Issued Pat	27-Sep-2006	Due Date	27-Sep-2006	
Rec'd Recorded Assignment?	26-Oct-2006	Final	28-Sep-2006	
Has Patent Been Proofread?	20-Dec-2006	Due Date	20-Dec-2006	
Has Patent Been Proofread?	20-Dec-2007	Due Date		
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Tax 3.5 Due In 4 Months	20-Aug-2009	Due Date	08-Dec-2006	
Tax 3.5 Due In 2 Months	20-Oct-2009	Due Date	08-Dec-2006	
Tax 3.5 Due In 1 Month	20-Nov-2009	Due Date	08-Dec-2006	
Tax 3.5 Duc Today	20-Dec-2009	Final	08-Dec-2006	
Tax 7.5 Due In 6 Months	20-Jun-2013	Due Date	08-Dec-2006	
Tax 7.5 Due In 4 Months	20-Aug-2013	Due Date	08-Dec-2006	
Tax 7.5 Due In 2 Months	20-Oct-2013	Due Date	08-Dec-2006	
Tax 7.5 Due In 1 Month	20-Nov-2013	Due Date	08-Dec-2006	
Tax 7.5 Due Today	20-Dec-2013	Final	08-Dec-2006	
Tax 11.5 Due in 6 Months	20-Jun-2017	Due Date	08-Dec-2006	
Tax 11.5 Due in 4 Months	20-Aug-2017	Due Date	08-Dec-2006	

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Tax 11.5 Due In 2 Months	20-Oct-2017	Due Date	08-Dec-2006		
Tax 11.5 Due In 1 Month	20-Nov-2017	Due Date	08-Dec-2006		
Tax 11.5 Due Today	20-Dec-2017	Final	08-Dec-2006		
Assignment History: Assignment From	Assignment To		Assignment Date	Reel	Frame
Inventor	Symrise GmbH		03-Apr-2006	017406	0742
Inventor	Symrise GmbH		26-Sep-2006	018309	0880

User ID: SLarsen

Date Created: 09-Feb-2006

Last Update: 11-Dec-2006